

Article 10.

Liability of Trustees and Rights of Persons Dealing with Trustees.

§ 36C-10-1001. Remedies for breach of trust.

- (a) A violation by a trustee of a duty the trustee owes under a trust is a breach of trust.
- (b) To remedy a breach of trust that has occurred or may occur, the court may:
 - (1) Compel the trustee to perform the trustee's duties;
 - (2) Enjoin the trustee from committing a breach of trust;
 - (3) Compel the trustee to redress a breach of trust by paying money, restoring property, or other means;
 - (4) Order a trustee to account;
 - (5) Appoint a special fiduciary to take possession of the trust property and administer the trust;
 - (6) Suspend the trustee;
 - (7) Remove the trustee as provided in G.S. 36C-7-706;
 - (8) Reduce or deny compensation to the trustee;
 - (9) Subject to G.S. 36C-10-1012, void an act of the trustee, impose a lien or a constructive trust on trust property, or trace trust property wrongfully disposed of and recover the property or its proceeds; or
 - (10) Order any other appropriate relief.
- (c) The court may, for cause shown, relieve a trustee from liability for any breach of trust, or wholly or partly excuse a trustee who has acted honestly and reasonably from liability for a breach of trust. (2005-192, s. 2.)